

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAYNE WEBER,

Defendant.

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CASE NO. 8:08CR209

**MEMORANDUM
AND ORDER**

This matter is before the Court on the Defendant's motion for reconsideration of her second amended motion for leave to hire an expert (Filing No. 48).

The Defendant pleaded guilty to Count I of the Indictment charging her with a violation of 18 U.S.C. § 1343. Despite conflicting information in the record (Filing Nos. 7, 21), defense counsel is appointed. The Defendant's request for leave to hire an expert is made in light of the government's assertion of the loss amount and the Defendant's right, reserved in the plea agreement, to contest this amount. The government asserts that the loss amount for guideline and restitution purposes is approximately \$500,000. (Filing No. 23.)

The financial affidavit completed on January 9, 2007, in support of Ms. Weber's request for CJA counsel in her grand jury matter lists her residence as her sole property asset. A substantial mortgage on the home was listed. On this basis, defense counsel was appointed.

At this Court's request, an updated financial affidavit completed on December 12, 2008, was submitted. The affidavit lists additional substantial assets and indicates that since Ms. Weber signed her initial affidavit the debt on Ms. Weber's residence was reduced by approximately \$31,000. In light of this additional information regarding the Defendant's

substantial assets, the Defendant's entitlement to funds for leave to hire the requested expert is denied.

IT IS ORDERED that the Defendant's motion for reconsideration of her second amended motion for leave to hire an expert (Filing No. 48) is denied.

DATED this 21st day of January, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge